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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,769	06/27/2003	Toshiyuki Hosaka	9319S-000520	8150
27572	7590	05/03/2006	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C.			KIM, ANDREW	
P.O. BOX 828			ART UNIT	
BLOOMFIELD HILLS, MI 48303			PAPER NUMBER	
			3712	

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/608,769		HOSAKA, TOSHIYUKI	
	Examiner		Art Unit	
	Andrew Kim		3712	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed 6/9/05 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because an English translation was not included with each cited foreign references. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

The information disclosure statement filed 9/27/05 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because an English translation was not included with each cited foreign references. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6-8, 10-16, 18-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Takahama et al. (US 2003/0032478), "Takahama".

Claim 1, 6, 14 and 18: Takahama discloses

- projecting a moving image on a predetermined area in a game board of a game machine from the back of a panel (Fig. 25, Paragraph 130), wherein the moving tennis ball or opponent is analogous to the moving image; and
- projecting a still image on the game board outside of the predetermined area (paragraph 137), wherein the court is the still image or background for the display,
- wherein a position, a number, and a size of said predetermined area where said moving image is displayed are set as parameters (paragraph 137), and more than one parameter is changed at a predetermined time while the moving image and the still image are displayed (paragraph 137).

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Furthermore, it is necessarily present that a projection mechanism capable of projecting a moving image can project a still image on a game board as it is a fact that a projection of a moving image is simply a series of still images rapidly shown one after another.

Thus, the display of Takahama is capable of the moving and still images of the claimed invention. Regarding the position, number and size of the predetermined area of the moving image is simply a matter of storing the proper plurality of still images on a computer readable medium and sending those images to the projector.

Claims 2 and 19: Takahama discloses changing more than one of said parameters when a state of the game machine changes during a game (paragraph 139).

Claim 3: Takahama discloses changing more than one of said parameters when a player comes close to or moves away from the game machine by at least one predetermined distance (paragraph 104).

Claim 4: Takahama discloses projecting game machine information as the still image (paragraph 138). Game information such as the tennis court, opponent character, scores, and acquired sets.

Claims 7 and 15: Takahama discloses said control unit causes said projection mechanism to alter at least one of said parameters when the predetermined time equals a time of a change of a game state in the game machine (paragraph 139). Depending on the speed and direction of the serve, the ball character will 'move' more (change of parameters).

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Claim 8: Takahama discloses means for inputting a game machine information image that displays game machine information of the game machine, and wherein said control unit causes said projection mechanism to projection display the game machine information image as said still image (paragraph 138). Game information such as the tennis court, opponent character, scores, and acquired sets.

Claims 10, 16, and 21: Takahama discloses said parameters when the predetermined time equals at least one of a time at which said control unit has determined that a player has come within a predetermined distance to the game machine (paragraphs 66 and 139), on the basis of a sensor signal outputted by a user sensor, and a time at which said control unit has determined that the player has moved away from said game machine more than a predetermined distance (paragraphs 66 and 139), on the basis of the sensor signal.

Claim 11: Takahama discloses a main control unit which causes said display apparatus for a game machine to projection display said moving image and said still image (fig. 27, item 1400, paragraph 133).

Claim 12: Takahama discloses a user sensor that outputs a sensor signal permitting determination as to whether a player has come within a predetermined distance to said game machine; and wherein said main control unit causes said display apparatus for a game machine to projection display said moving image and said still image such that at least one of said parameters is altered when the predetermined time equals at least one of a time at which said main control unit has determined that the player has come within

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the predetermined distance to said game machine (paragraphs 66 and 139), on the basis of the sensor signal outputted by said user sensor, and a time at which said main control unit has determined that said player has moved away from said game machine by more than said predetermined distance (paragraphs 66 and 139), on the basis of said sensor signal.

Claim 13: Takahama discloses a game machine as defined in claim 10 (fig. 25, paragraphs 130-139).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 5, 9, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahama et al. (US 2003/0032478), "Takahama" in view of Wells (US 6,846,238), "Wells".

Claims 5, 9, and 17: Takahama discloses the invention as claimed except for displaying at least one of a broadcast and a distributed image as at least one of said moving and still images. Instead, Takahama teaches a one or two player game wherein the game is played without being networked (paragraph 74). In an analogous gaming reference, Wells teaches "broadcast events, including television programming, may be provided to the main display monitor, the secondary display monitor or the remote display" (Wells, col. 13, lines 59-67). One of ordinary skill in the art would have seen the benefit of modifying Takahama with a secondary display since "many game players would like to continue game play while performing an activity, such as getting a meal or going to a sports book..." This action would require the player to leave the game which the player is reluctant to do because the player does not want to give up the machine. Further, the gaming establishment is reluctant to reserve the machine because while a gaming machine is reserved it does not generate revenue (Wells, col. 2, lines 18-38). Wells teaches solving this problem with a secondary display to provide food menus, make sports wagers, or watch broadcast television (col. 13, line 51 – col. 14, line 16). Therefore, it would have been obvious to one of ordinary skill in the art at the of the instant invention to modify Takahama with a secondary display displaying broadcast television as taught by Wells to provide additional services as discussed while still playing the game.

Citations

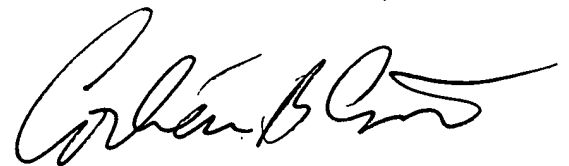
The following prior art of record is not relied upon but is considered pertinent to applicant's disclosure: Hosaka (US 6,971,771), Uchiyama et al (US 6,638,165), Hedrick et al. (US 2003/0027631), Wells (US 2004/0029636), Loose et al. (US 6,517,433), Motegi et al. (US 6,817,946).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Kim whose telephone number is 571-272-1691. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Jones can be reached on 571-272-4438. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**CORBETT B. COBURN
PRIMARY EXAMINER**

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